

FILED

June 15, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**BY: SAF
DEPUTY

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
V.)	CRIMINAL NO. SA-22-CR-00579-XR
)	
MOISES JAEKOB VARGAS,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

Came on to be considered the United States of America's Motion for Preliminary Order of Forfeiture, pursuant to the provisions of Title 21 U.S.C. § 853(n)(1)-(7), and Fed. R. Crim. P. 32.2(b)(2), 32.2(b)(2)(B), and 32.2(c)(1), and this Court being fully and wholly apprised in all its premises, finds that the United States has established by a preponderance of the evidence a nexus between the property described below and the violation of Title 18 U.S.C. § 2252A(a)(5)(B), by virtue of the Defendant's written Plea Agreement with the factual basis contained therein and that the Defendant has an interest in said property. As such, said Motion is meritorious, and hereby is in all things GRANTED. IT IS THEREFORE

ORDERED that all right, title, and interest of the Defendant in the certain property, namely:

1. Silver iPhone 12 ProMax; IMEI: 356789280851559; and
2. Any and all other property involving any visual depiction described in Title 18, United States Code sections 2251, 2251A, 2252, 2252A, 2252B, or 2260,

hereinafter referred to as the Subject Personal Property be, and hereby is FORFEITED to the United States of America; and IT IS FURTHER

ORDERED that upon entry of the Preliminary Order of Forfeiture, the United States through its lawfully designated agents and agencies, including the United States Marshals Service and/or the Federal Bureau of Investigation, to seize, take custody, control, and possession of the

Subject Personal Property, whether held by the Defendant or a third party; and IT IS FURTHER

ORDERED that the United States shall cause publication for at least 30 consecutive days on an official government internet website (www.forfeiture.gov) of the notice of the Preliminary Order of Forfeiture and of its intent to dispose of the Subject Personal Property in such manner as the United States directs. The United States must send notice to any person or entity who reasonably appears to be a potential petitioner with standing to contest the forfeiture in the ancillary proceeding; and IT IS FURTHER

ORDERED that the United States shall send Direct Notice of the Preliminary Order of Forfeiture, Appendix A, which is attached to the United States of America's Motion for Preliminary Order of Forfeiture, and incorporated herein to those known to the United States to have an interest in the Subject Personal Property; and IT IS FURTHER

ORDERED that in the event a third-party petition is filed as to the Subject Personal Property the United States shall commence discovery proceedings to resolve any third-party issues, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas, pursuant to Fed. R. Civ. P. 45; and IT IS FURTHER

ORDERED that at the time of the sentencing of the Defendant the forfeiture of the Subject Personal Property shall be included in his Judgment in a Criminal Case.

IT IS SO ORDERED.

SIGNED this 15th day of June, 2023.



XAVIER RODRIGUEZ
United States District Judge